

EXHIBIT 10

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

LA UNION DEL PUEBLO ENTERO, et al.,	§	
Plaintiffs,	§	CIVIL ACTION NO.
	§	
v.	§	5:21-CV-0844-XR
	§	
STATE OF TEXAS, et al.,	§	[Consolidated Action: Lead Case]
Defendants.	§	

STIPULATION OF THE CRIMINAL DISTRICT ATTORNEY OF HIDALGO COUNTY

I, Toribio “Terry” Palacios, stipulate as follows:

1. I serve as the Criminal District Attorney of Hidalgo County, Texas, a position I was first elected to in November 2022.
2. In this role, I lead the Hidalgo County Criminal District Attorney’s Office (“Hidalgo County DA’s Office”), which is responsible for, among other things, reviewing felony and misdemeanor charges and evidence filed by law enforcement agencies in Hidalgo County, Texas to determine whether sufficient evidence exists to successfully prosecute. The Hidalgo County DA’s Office engages in prosecution of criminal violations of enacted laws of the State of Texas that occur in Hidalgo County, when appropriate under the facts, law, and exercise of prosecutorial discretion. *See* Tex. Code of Crim. Proc. Art. 2.01. This includes investigating and prosecuting alleged criminal violations of the Texas Election Code in Hidalgo County, including the provisions being challenged by the Plaintiffs in this lawsuit, *i.e.*, Tex. Elec. Code Ann. §§ 33.051, 33.061, 64.034, 276.015-.019 (“Criminal Provisions”).
3. The Hidalgo County DA’s Office has made no announcement that it will refrain from enforcement of the Criminal Provisions. Ex. A (Resp. to Request for Admission No. 1). Nor does the Hidalgo County DA’s Office intend to make any announcement that it will

refrain from enforcement of the Criminal Provisions.

4. The Hidalgo County DA's Office does not intend to refrain from investigating any allegation for which the District Attorney has a legal obligation or is otherwise required by law to investigate, including alleged violations of the Criminal Prosecutions under the Texas Election Code.
5. The Hidalgo County DA's Office does not intend to wholly refrain from investigating violations of the Criminal Provisions. Ex. A (Resp. to Request for Admission No. 3).
6. The Hidalgo County DA's Office does not intend to wholly refrain from prosecuting violations of the Criminal Provisions. Ex. A (Resp. to Request for Admission No. 2).
7. The Hidalgo County DA's Office does not disavow any intent to prosecute violations of the Criminal Provisions, as it "reviews submitted alleged violations of law on a case-by-case basis and may proceed with prosecution accordingly." Ex. A (Resp. to Interrogatory Nos. 1-4).
8. H.B. 17, 88th Leg. R.S. (2023), effective September 1, 2023, Section 87.011 of the Texas Local Government Code provides for the removal from office of a prosecuting attorney that 1) adopts or enforces a policy of refusing to prosecute a class or type of criminal offense under state law; 2) instructs law enforcement to refuse to arrest individuals suspected of committing a class or type of offense under state law; or 3) permits an assistant prosecuting attorney to take either of the foregoing actions.
9. The attached exhibit to this stipulation is the true and correct copy of discovery responses served by the Hidalgo County DA's Office in this matter. I incorporate these responses into this stipulation by reference.

Executed on: _____

7/5/23

TORIBIO "TERRY" PALACIOS
Criminal District Attorney
Hidalgo County, Texas